

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SANOFI-AVENTIS U.S. LLC., *et al.*,

Plaintiffs,

v.

SANDOZ, INC,

Defendant.

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Lead Civil Action No. 07-2762 (JAP)
(consolidated case)

ORDER

Presently before the Court is a motion by Fresenius Kabi Oncology plc and Dabur Pharma Limited (together “Dabur”) for summary judgment of noninfringement of United States Patent No. 5,716,988 (the “‘988 patent”) and United States Patent No. 5,290,961 (the “‘961 patent”). Plaintiffs Sanofi-Aventis U.S. LLC, Sanofi-Aventis, Debiopharm, S.A. (together “Sanofi”) oppose both motions and have cross-moved for summary judgment of infringement as to the ‘961 patent. For the reasons in the accompanying Opinion ,

IT IS on this 18th day of March 2010,

ORDERED that Dabur’s motions for summary judgment [#202, 204] are DENIED, and it is further

ORDERED that Sanofi’s cross-motion for summary judgment [#179] is DENIED.

/s/ Joel A. Pisano
JOEL A. PISANO, U.S.D.J